

**815 KAR 25:080. Requirements for certified installer seals and certification of manufactured home installers.**

RELATES TO: KRS 227.550, 227.560(1), 227.570, 227.580(1), (3), 227.590, 227.600(3), 227.630, 227.990, EO 2009-535

STATUTORY AUTHORITY: KRS 227.570(2), (4), 227.590(1), EO 2009-535

NECESSITY, FUNCTION, AND CONFORMITY: KRS 227.570(2) requires the office to enforce standards of installation, adopted by the Manufactured Home Certification and Licensure Board, as it determines are reasonably necessary to protect public health and safety. KRS 227.590(1) requires the board to promulgate administrative regulations to establish the standards. KRS 227.570(4) requires the board to promulgate administrative regulations to establish standards for the certified installer seal program. EO 2009-535, effective June 12, 2009, reorganized the Office of Housing, Buildings and Construction as the Department of Housing, Buildings, and Construction, and established the commissioner, rather than executive director, as the head of the department. This administrative regulation establishes the requirements for certified installer seals and certification of manufactured home installers.

Section 1. Definitions. (1) "Board" is defined by KRS 227.550(1).

(2) "Certified installer" means an individual certified to install manufactured and mobile homes in Kentucky pursuant to this administrative regulation.

(3) "Certified installer seal" means a seal indicating that a manufactured or mobile home has been installed by a person properly certified as an installer pursuant to this administrative regulation.

(4) "Installation" means the work performed on-site and the operations involved in the delivery, permanent securing, and placement of a manufactured home for the purpose of human occupancy:

(a) Including:

1. Preparation of a permanent foundation;
2. Placement of polyvinyl covering on the ground, if applicable;
3. The placement and connection of utilities performed by appropriately-licensed contractors;
4. Anchoring and tying down; and
5. Installation of any other accessory or appurtenance specified in the sales contract; and

(b) Excluding:

1. Site preparation; or
2. For a single-section home, ground set after site preparation.

(5) "Permanent foundation" means a system of supports:

(a) Capable of transferring without failure, into soil or bedrock, the maximum design load imposed by or upon the structure;

(b) Constructed of concrete; and

(c) Placed at a depth below grade adequate to prevent frost damage.

(6) "Site preparation" means work performed on the land in preparation for installation of the home:

(a) Including:

1. Clearing and initial grading;
2. Water drainage; and
3. Vegetation control; and

(b) Excluding final grading after the home has been set.

Section 2. Requirements for Certification. (1) An applicant for certified installer shall:

- (a) Submit to the department a completed Form MHCI 3, Certified Installer Application;
- (b) Pay an application fee of \$100 to the department;
- (c) Successfully complete fifteen (15) hours of an approved course of education;
- (d) Provide written proof of regularly assisting in site preparation and installation functions:
  - 1. Under the supervision of a certified installer;
  - 2. For at least sixty (60) days; and
  - 3. On at least five (5) homes;
- (e) Pass the certified installer examination given by the department; and
- (f) Provide a certificate verifying current worker's compensation insurance coverage, if the applicant is employed at the time of application.

(2) An installer certification shall be issued in the name of the individual qualified under subsection (1) of this section. The individual may request that the certificate also bear the name of the employing company.

(3)(a) If the certified installer changes his business name or is no longer associated with the company whose name appears upon the certificate, the certified installer shall inform the department and request an amended certificate reflecting the current status.

(b) If the certified installer is no longer associated with a company, that company shall not hold itself out as a certified installer or as having in its employ a certified installer until another certified person has become associated with that company.

Section 3. Renewal of Certification; Continuing Education. (1)(a) The installer certificate shall expire on the last day of the installer's birth month.

(b) If an initial certificate is for a period of less than twelve (12) months, the fee shall be reduced on a pro rata monthly basis.

(2) A certified installer seeking to renew certification shall:

(a) Submit a completed application, Form DHBC MH 40-21, Certified Installer Renewal Application, to the department;

(b) Pay a renewal fee of fifty (50) dollars; and

(c) Provide proof of at least five (5) classroom hours successfully completed during the twelve (12) months preceding renewal in a course offered by the Kentucky Manufactured Housing Institute.

Section 4. Minimum Requirements for Installations. A certified installer shall comply with KRS 227.570(3) by using the manufacturer's instructions or ANSI A225.1, Manufactured Home Installations.

Section 5. Certified Installer Seal. (1) A certified installer who installs a manufactured or mobile home in accordance with this administrative regulation shall place a certified installer seal on the home.

(a) Certified installer seals shall be obtained from the department.

(b) The application shall be:

- 1. Filed on Form DHBC MH 40-29, Application for Certified Installer Seals; and
- 2. Accompanied by a fee of twenty-five (25) dollars for each seal.

(2) Recordkeeping. A certified installer shall:

(a) Maintain the following information, which shall be reported monthly to the Division of Building Code Enforcement, Manufactured Housing Section, by regular U.S. Mail, facsimile, or electronically, on Form DHBC MH 40-30, Monthly Certified Installer Certification, for each certified installation:

1. Unit serial number;
  2. Certified installer seal number;
  3. Date manufactured, if known;
  4. Make of unit;
  5. Installation date of unit; and
  6. Name of consumer and address where the manufactured home is located;
- (b) Retain the completed Form DHBC MH 40-30, Monthly Certified Installer Certification, for three (3) years; and
- (c) Make a copy of the form available to a manufactured housing field inspector upon request.
- (3) Application and placement of certified installer seals.
- (a) Each certified installer seal consists of two (2) parts that shall be affixed as follows:
1. One (1) part shall be placed two (2) inches above the HUD label on the outside left corner of a manufactured home or on the outside left corner of a mobile home if a HUD label is not required; and
  2. One (1) part shall be placed on the inside of the electrical panel in the manufactured home.
- (b) Other seals, stamps, covers, or other markings shall not be placed within two (2) inches of the certified installer seal.
- (4) Lost or damaged seals.
- (a) If a certified installer seal becomes lost or damaged, the owner shall notify the department immediately, in writing, specifying:
1. The manufacturer;
  2. The manufactured or mobile home serial number; and
  3. The certified installer seal number, if known.
- (b) A damaged seal shall be:
1. Promptly returned to the department; and
  2. Replaced by the department for a fee of twenty-five (25) dollars.

Section 6. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "ANSI A225.1, Manufactured Home Installations", 1994 Edition;
  - (b) "Form MHCI 3, Certified Installer Application", September 2007;
  - (c) "Form DHBC MH 40-29, Application For Certified Installer Seals", December 2008;
  - (d) "Form DHBC MH 40-21, Certified Installer Renewal Application", February 2009; and
  - (e) "Form DHBC MH 40-30, Monthly Certified Installer Certification", December 2008.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, Division of Building Code Enforcement, Manufactured Housing Section, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5405, Monday through Friday, 8 a.m. to 4:30 p.m. (27 Ky.R. 2978; Am. 3260; eff. 6-8-2001; 31 Ky.R. 1749; 32 Ky.R. 263; eff. 8-25-2005; 34 Ky.R. 874; 1436; eff. 1-4-2008; 35 Ky.R. 1921; 2059; eff. 4-3-2009; 36 Ky.R. 2114-A; 2333; eff. 7-2-2010.)